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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 MAYNOR VILLANUEVA,

10 *Petitioner,*

11 vs.

12 WARDEN BRIAN E. WILLIAMS, SR.,
13 *et al.,*

14 *Respondents.*

2:15-cv-01567-RFB-NJK

ORDER

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16 Petitioner has submitted a completed application to proceed *in forma pauperis* (ECF No. 1)
17 with no habeas petition or complaint of any kind.

18 As petitioner has failed to submit a habeas petition, this matter has not been properly
19 commenced. Accordingly, the application will be denied, and the present action will be dismissed
20 without prejudice to the filing of a petition in a new action on the form required by Rule 3-1 of the
21 Local Rules for Special Proceedings and Appeals for this District, with a pauper application on the
22 proper form with all required attachments.

23 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (ECF #1)
24 is **DENIED** and that this action shall be **DISMISSED** without prejudice to the filing of a habeas
25 petition, on the required form, in a new action with a properly completed pauper application.

26 **IT IS FURTHER ORDERED** that the Clerk shall send petitioner two copies each of an
27 application form to proceed *in forma pauperis* for incarcerated persons and a noncapital Section 2254
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1 habeas petition form, one copy of the instructions for each form, and a copy of the papers that he
2 submitted in this action.

3 **IT IS FURTHER ORDERED** that the Clerk of Court shall enter judgment accordingly and
4 close this case.

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6 DATED: 5th day of February, 2016.

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9 RICHARD F. BOULWARE, II
10 UNITED STATES DISTRICT JUDGE
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